



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0302/2

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RM with R

DOA:.....Koskinen, BB0079 - Internal Revenue Code update

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

SAJ

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Do Not Gen

1 AN ACT...; relating to: the budget.

Analysis by the Legislative Reference Bureau

TAXATION

INCOME TAXATION

~~This bill adopts, for state income and franchise tax purposes, changes made to the Internal Revenue Code by Public Law 108-27, the Jobs and Growth Tax Relief Reconciliation Act, not including changes related to bonus depreciation and expensing provisions and an increase in the alternative minimum tax exemption; Public Law 108-121, the Military Family Tax Relief Act; Public Law 108-173, the Medicare Prescription Drug, Improvement and Modernization Act, not including changes related to health savings accounts; Public Law 108-311, the Working Families Tax Relief Act; and Public Law 108-357, the American Jobs Creation Act.~~

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Under current law, spouses that file a joint income tax return are both liable for the payment of any tax related to that return. However, DOR may relieve a person of any tax liability related to a joint return, in a manner specified by the Internal Revenue Code and adopted by this state. Generally, DOR may relieve a person of any tax liability related to a joint return if the person's spouse did not notify the person of any tax liability or understatement of taxes related to the joint return. This bill corrects an outdated reference to the sections of the Internal Revenue Code that relate to a spouse's tax liability for a joint income tax return. The bill also requires a spouse to apply for relief from tax liability within two years from the date on which DOR begins collection activities on the spouse's tax liability or within two years from the effective date of the provision, whichever is later.

This bill will be referred to the Joint Survey Committee on Tax Exemptions for a detailed analysis, which will be printed as an appendix to this bill.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 71.01 (6) (j) of the statutes is repealed.

2 **SECTION 2.** 71.01 (6) (k) of the statutes is repealed.

3 **SECTION 3.** 71.01 (6) (L) of the statutes is amended to read:

4 71.01 (6) (L) For taxable years that begin after December 31, 1996, and before
5 January 1, 1998, for natural persons and fiduciaries, except fiduciaries of nuclear
6 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal
7 Internal Revenue Code as amended to December 31, 1996, excluding sections 103,
8 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
9 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
10 104-188, and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277,
11 P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L.
12 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding
13 sections 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and P.L. 108-121, excluding~~
14 section 109 of P.L. 108-121, and as indirectly affected by P.L. 99-514, P.L. 100-203,
15 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280,
16 P.L. 101-508, P.L. 102-90, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.
17 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
18 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
19 103-465, P.L. 104-7, P.L. 104-117, P.L. 104-188, excluding sections 1123 (b), 1202
20 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.

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1 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554,
2 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
3 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
4 107-147, and P.L. 107-181, ~~and P.L. 108-121~~, excluding section 109 of P.L. 108-121.

5 The Internal Revenue Code applies for Wisconsin purposes at the same time as for
6 federal purposes. Amendments to the federal Internal Revenue Code enacted after
7 December 31, 1996, do not apply to this paragraph with respect to taxable years
8 beginning after December 31, 1996, and before January 1, 1998, except that
9 changes to the Internal Revenue Code made by P.L. 105-33, P.L. 105-34, P.L.
10 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of
11 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
12 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and P.L.~~

13 108-121, excluding section 109 of P.L. 108-121, and changes that indirectly affect
14 the provisions applicable to this subchapter made by P.L. 105-33, P.L. 105-34, P.L.
15 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of
16 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
17 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and P.L.~~
18 108-121, excluding section 109 of P.L. 108-121, apply for Wisconsin purposes at the
19 same time as for federal purposes.

20 **SECTION 4.** 71.01 (6) (m) of the statutes is amended to read:

21 71.01 (6) (m) For taxable years that begin after December 31, 1997, and before
22 January 1, 1999, for natural persons and fiduciaries, except fiduciaries of nuclear
23 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal
24 Internal Revenue Code as amended to December 31, 1997, excluding sections 103,
25 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203

(d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and~~ P.L. 108-121, excluding section 109 of P.L. 108-121, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-117, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and~~ P.L. 108-121, excluding section 109 of P.L. 108-121. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 1997, do not apply to this paragraph with respect to taxable years beginning after December 31, 1997, and before January 1, 1999, except that changes to the Internal Revenue Code made by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and~~ P.L. 108-121, excluding section 109 of P.L. 108-121, and changes that

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1 indirectly affect the provisions applicable to this subchapter made by P.L. 105-178,
2 P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554, excluding
3 sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L.
4 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147,
5 and P.L. 107-181, ~~and~~ P.L. 108-121, excluding section 109 of P.L. 108-121, apply for
6 Wisconsin purposes at the same time as for federal purposes.

7 **SECTION 5.** 71.01 (6) (n) of the statutes is amended to read:

8 71.01 (6) (n) For taxable years that begin after December 31, 1998, and before
9 January 1, 2000, for natural persons and fiduciaries, except fiduciaries of nuclear
10 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal
11 Internal Revenue Code as amended to December 31, 1998, excluding sections 103,
12 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
13 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
14 104-188, and as amended by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,
15 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
16 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
17 107-147, P.L. 107-181, and P.L. 107-276, ~~and~~ P.L. 108-121, excluding section 109
18 of P.L. 108-121, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647,
19 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508,
20 P.L. 102-90, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.
21 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
22 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
23 104-7, P.L. 104-117, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),
24 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.
25 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L.

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1 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,
 2 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections
 3 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L. 107-276, ~~and~~ P.L. 108-121,
 4 excluding section 109 of P.L. 108-121. The Internal Revenue Code applies for
 5 Wisconsin purposes at the same time as for federal purposes. Amendments to the
 6 federal Internal Revenue Code enacted after December 31, 1998, do not apply to this
 7 paragraph with respect to taxable years beginning after December 31, 1998, and
 8 before January 1, 2000, except that changes to the Internal Revenue Code made by
 9 P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and
 10 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134,
 11 P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L.
 12 107-276, ~~and~~ P.L. 108-121, excluding section 109 of P.L. 108-121, and changes that
 13 indirectly affect the provisions applicable to this subchapter made by P.L. 106-36,
 14 P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L.
 15 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
 16 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L.
 17 107-276, ~~and~~ P.L. 108-121, excluding section 109 of P.L. 108-121, apply for
 18 Wisconsin purposes at the same time as for federal purposes.

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SECTION 6. 71.01 (6) (o) of the statutes is amended to read:

19
 20 71.01 (6) (o) For taxable years that begin after December 31, 1999, and before
 21 January 1, 2003, for natural persons and fiduciaries, except fiduciaries of nuclear
 22 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal
 23 Internal Revenue Code as amended to December 31, 1999, excluding sections 103,
 24 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
 25 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.

P.L. 108-218

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1 104-188, as amended by P.L. 106-230, P.L. 106-554, excluding sections 162 and 165
2 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.
3 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of
4 P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, P.L.
5 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding
6 section 109 of P.L. 108-121, P.L. 108-311, and P.L. 108-357, and as indirectly
7 affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.
8 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90, P.L. 102-227,
9 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
10 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
11 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-117, P.L.
12 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
13 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.
14 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,
15 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding
16 section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147,
17 excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L.
18 107-276, and P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L.
19 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, and P.L.
20 108-357. The Internal Revenue Code applies for Wisconsin purposes at the same
21 time as for federal purposes. Amendments to the federal Internal Revenue Code
22 enacted after December 31, 1999, do not apply to this paragraph with respect to
23 taxable years beginning after December 31, 1999, and before January 1, 2003,
24 except that changes to the Internal Revenue Code made by P.L. 106-230, P.L.
25 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16,

1 excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L.
 2 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210,
 3 P.L. 107-276, and P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and 202
 4 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, and
 5 P.L. 108-357, and changes that indirectly affect the provisions applicable to this
 6 subchapter made by P.L. 106-230, P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding
 7 section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147,
 8 excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L.
 9 107-276, and P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L.
 10 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, and P.L.
 11 108-357, apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 7. 71.01 (6) (p) of the statutes is amended to read:

13 71.01 (6) (p) For taxable years that begin after December 31, 2002, and before
 14 January 1, 2004, for natural persons and fiduciaries, except fiduciaries of nuclear
 15 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal
 16 Internal Revenue Code as amended to December 31, 2002, excluding sections 103,
 17 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
 18 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
 19 104-188, P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section
 20 431 of P.L. 107-16, and section 101 of P.L. 107-147, and as amended by P.L. 108-27,
 21 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section
 22 109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L.
 23 108-311, and P.L. 108-357, and as indirectly affected by P.L. 99-514, P.L. 100-203,
 24 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280,
 25 P.L. 101-508, P.L. 102-90, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.

Handwritten annotations include:
 - "INSERT 4" in a circle at line 2.
 - "P.L. 108-218" with a checkmark at line 2.
 - "INSERT 3" in a circle at line 4.
 - "INSERT 6" in a circle at line 6.
 - "P.L. 108-218" with a checkmark at line 8.
 - "INSERT 3" in a circle at line 10.
 - "INSERT 3" in a circle at line 23.
 - "INSERT 4" in a circle at line 24.
 - "P.L. 108-203, P.L. 108-218" in a circle at line 25.

P.L. 108-203, P.L. 108-218

1 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
 2 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
 3 103-465, P.L. 104-7, P.L. 104-117, P.L. 104-188, excluding sections 1123 (b), 1202
 4 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
 5 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.
 6 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,
 7 P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L.
 8 107-116, P.L. 107-134, P.L. 107-147, excluding section 101 of P.L. 107-147, P.L.
 9 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, P.L. 108-27, excluding
 10 sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L.

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11 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-311, and P.L.

12 108-357. The Internal Revenue Code applies for Wisconsin purposes at the same

13 time as for federal purposes. Amendments to the federal Internal Revenue Code

14 enacted after December 31, 2002, do not apply to this paragraph with respect to

15 taxable years beginning after December 31, 2002, and before January 1, 2004,

16 except that changes to the Internal Revenue Code made by P.L. 108-27, excluding

17 sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L.

18 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-311, and P.L.

19 108-357, and changes that indirectly affect the provisions applicable to this

20 subchapter made by P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27,

21 P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-173, excluding section

22 1201 of P.L. 108-173, P.L. 108-311, and P.L. 108-357, apply for Wisconsin purposes

23 at the same time as for federal purposes.

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SECTION 8. 71.01 (6) (q) of the statutes is created to read:

P.L. 108-203, P.L. 108-218,

1 71.01 (6) (q) For taxable years that begin after December 31, 2003, and before
2 January 1, 2005, for natural persons and fiduciaries, except fiduciaries of nuclear
3 decommissioning trust or reserve funds, "Internal Revenue Code" means the federal
4 Internal Revenue Code as amended to December 31, 2003, excluding sections 103,
5 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
6 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
7 104-188, P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section
8 431 of P.L. 107-16, section 101 of P.L. 107-147, sections 106, 201, and 202 of P.L.
9 108-27, P.L. 108-203, P.L. 108-218, INSERT 8 P.L. 108-357, INSERT 9 and as indirectly affected
10 by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,
11 P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90, P.L. 102-227, excluding
12 sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66,
13 excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
14 P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-117, P.L. 104-188,
15 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.
16 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.
17 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections
18 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L.
19 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding section 101
20 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27,
21 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section
22 109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L.
23 108-311, and P.L. 108-357. The Internal Revenue Code applies for Wisconsin
24 purposes at the same time as for federal purposes. Amendments to the federal
25 Internal Revenue Code enacted after December 31, 2003, do not apply to this

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P.L. 108-203, P.L. 108-218,

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INSERT 8

INSERT 10

P.L. 108-203, P.L. 108-218,

P.L. 108-203, P.L. 108-218,

1 paragraph with respect to taxable years beginning after December 31, 2003, and
 2 before January 1, 2005, except that changes to the Internal Revenue Code made by
 3 ~~P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121,~~
 4 ~~excluding section 109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L.~~
 5 ~~108-173, P.L. 108-311, and P.L. 108-357,~~ and changes that indirectly affect the
 6 provisions applicable to this subchapter made ^{INSERT 8} by ^{INSERT 9} P.L. 108-27, excluding sections
 7 ~~106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121,~~
 8 ~~P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-311, and P.L. 108-357,~~
 9 apply for Wisconsin purposes at the same time as for federal purposes. ^{INSERT 8} ^{INSERT 9}

10 SECTION 9. 71.01 (6) (r) of the statutes is created to read:

11 71.01 (6) (r) For taxable years that begin after December 31, 2004, for natural
 12 persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or
 13 reserve funds, "Internal Revenue Code" means the federal Internal Revenue Code
 14 as amended to December 31, 2004, excluding sections 103, 104, and 110 of P.L.
 15 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
 16 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, ^{sections 1, 3, 4, and 5 of} P.L. 106-519,
 17 sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, section
 18 101 of P.L. 107-147, sections 106, 201, and 202 of P.L. 108-27, ~~and~~ section 1201 of
 19 P.L. 108-173, ^{leave as typed} and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647,
 20 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508,
 21 P.L. 102-90, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.
 22 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
 23 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
 24 104-7, P.L. 104-117, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),
 25 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.

INSERT 11

P.L. 108-203, P.L. 108-218,

1 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L.
 2 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15,
 3 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L.
 4 107-134, P.L. 107-147, excluding section 101 of P.L. 107-147, P.L. 107-181, P.L.
 5 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and
 6 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L.
 7 108-173, P.L. 108-311, ~~and~~ P.L. 108-357. The Internal Revenue Code applies for
 8 Wisconsin purposes at the same time as for federal purposes. Amendments to the
 9 federal Internal Revenue Code enacted after December 31, 2004, do not apply to this
 10 ✓ paragraph with respect to taxable years beginning after December 31, 2004.

INSERT 8

INSERT 10

INSERT 12-10

11 SECTION 10. 71.10 (6) (a) of the statutes is amended to read:

12 71.10 (6) (a) *Joint returns.* Persons filing a joint return are jointly and severally
 13 liable for the tax, interest, penalties, fees, additions to tax and additional
 14 assessments under this chapter applicable to the return. ~~A~~ Except as provided in
 15 par. (e), a person shall be relieved of liability in regard to a joint return in the manner
 16 specified in section 6013 (e) 6015 (a) to (d) and (f) of the internal revenue code,
 17 notwithstanding the amount or percentage of the understatement Internal Revenue
 18 Code.

19 SECTION 11. 71.10 (6) (b) of the statutes is amended to read:

20 71.10 (6) (b) *Separate returns.* ~~A~~ Except as provided in par. (e), a spouse filing
 21 a separate return may be relieved of liability for the tax, interest, penalties, fees,
 22 additions to tax and additional assessments under this chapter with regard to
 23 unreported marital property income in the manner specified in section 66 (c) of the
 24 internal revenue code Internal Revenue Code. The department may not apply ch.
 25 766 in assessing a taxpayer with respect to marital property income the taxpayer did

1 not report if that taxpayer failed to notify the taxpayer's spouse about the amount
2 and nature of the income before the due date, including extensions, for filing the
3 return for the taxable year in which the income was derived. The department shall
4 include all of that marital property income in the gross income of the taxpayer and
5 exclude all of that marital property income from the gross income of the taxpayer's
6 spouse.

7 **SECTION 12.** 71.10 (6) (e) of the statutes is created to read:

8 71.10 (6) (e) *Application for relief.* A person who seeks relief from liability
9 under par. (a) or (b) shall apply for relief with the department, on a form prescribed
10 by the department, within 2 years after the date on which the department first
11 begins collection activities after the effective date of this paragraph [revisor
12 inserts date].

13 **SECTION 13.** 71.10 (6m) (a) of the statutes is amended to read:

14 71.10 (6m) (a) ~~A~~ Except as provided in par. (c), a formerly married or remarried
15 person filing a return for a period during which the person was married may be
16 relieved of liability for the tax, interest, penalties, fees, additions to tax and
17 additional assessments under this chapter ~~for unreported marital property income~~
18 from that period as if the person were a spouse under section 66 (c) of the ~~internal~~
19 ~~revenue code~~ Internal Revenue Code. The department may not apply ch. 766 in
20 assessing the former spouse of the person with respect to marital property income
21 that the former spouse did not report if that former spouse failed to notify the person
22 about the amount and nature of the income before the due date, including extensions,
23 for filing the return for the taxable year during which the income was derived. The
24 department shall include all of that marital property income in the gross income of

1 the former spouse and exclude all of that marital property income from the gross
2 income of the person.

3 **SECTION 14.** 71.10 (6m) (c) of the statutes is created to read:

4 71.10 (6m) (c) A person who seeks relief from liability under par. (a) shall apply
5 for relief with the department as provided under sub. (6) (e).

6 **SECTION 15.** 71.22 (4) (j) of the statutes is repealed.

7 **SECTION 16.** 71.22 (4) (k) of the statutes is repealed.

8 **SECTION 17.** 71.22 (4) (L) of the statutes is amended to read:

9 71.22 (4) (L) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
10 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after
11 December 31, 1996, and before January 1, 1998, means the federal Internal
12 Revenue Code as amended to December 31, 1996, excluding sections 103, 104, and
13 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
14 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188,
15 and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L.
16 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,
17 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections
18 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and~~ P.L. 108-121, excluding section
19 109 of P.L. 108-121, and as indirectly affected in the provisions applicable to this
20 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2)
21 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008
22 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.
23 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.
24 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
25 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.

INSERT 1 ✓

1 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
 2 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
 3 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of
 4 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
 5 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and P.L.~~
 6 108-121, excluding section 109 of P.L. 108-121. The Internal Revenue Code applies
 7 for Wisconsin purposes at the same time as for federal purposes. Amendments to the
 8 federal Internal Revenue Code enacted after December 31, 1996, do not apply to this
 9 paragraph with respect to taxable years beginning after December 31, 1996, and
 10 before January 1, 1998, except that changes to the Internal Revenue Code made by
 11 P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554,
 12 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
 13 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
 14 107-147, and P.L. 107-181, ~~and P.L. 108-121, excluding section 109 of P.L. 108-121,~~
 15 and changes that indirectly affect the provisions applicable to this subchapter made
 16 by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554,
 17 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
 18 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
 19 107-147, and P.L. 107-181, ~~and P.L. 108-121, excluding section 109 of P.L. 108-121,~~
 20 apply for Wisconsin purposes at the same time as for federal purposes.

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1

SECTION 18. 71.22 (4) (m) of the statutes is amended to read:

22 71.22 (4) (m) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
 23 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after
 24 December 31, 1997, and before January 1, 1999, means the federal Internal
 25 Revenue Code as amended to December 31, 1997, excluding sections 103, 104, and

1 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
2 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188,
3 and as amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.
4 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,
5 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections
6 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and~~ P.L. 108-121, excluding section
7 109 P.L. 108-121, and as indirectly affected in the provisions applicable to this
8 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2)
9 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008
10 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.
11 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.
12 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
13 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
14 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
15 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.
16 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554,
17 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431 ✓
18 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
19 107-147, and P.L. 107-181, ~~and~~ P.L. 108-121, excluding section 109 of P.L. 108-121. INSERT
2
20 The Internal Revenue Code applies for Wisconsin purposes at the same time as for
21 federal purposes. Amendments to the federal Internal Revenue Code enacted after
22 December 31, 1997, do not apply to this paragraph with respect to taxable years
23 beginning after December 31, 1997, and before January 1, 1999, except that
24 changes to the Internal Revenue Code made by P.L. 105-178, P.L. 105-206, P.L.
25 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of

1 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
2 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and~~ P.L.
3 108-121, excluding section 109 of P.L. 108-121, and changes that indirectly affect
4 the provisions applicable to this subchapter made by P.L. 105-178, P.L. 105-206, P.L.
5 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of
6 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
7 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and~~ P.L.
8 108-121, excluding section 109 of P.L. 108-121, apply for Wisconsin purposes at the
9 same time as for federal purposes.

INSERT 1

10 SECTION 19. 71.22 (4) (n) of the statutes is amended to read:

11 71.22 (4) (n) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
12 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after
13 December 31, 1998, and before January 1, 2000, means the federal Internal
14 Revenue Code as amended to December 31, 1998, excluding sections 103, 104, and
15 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
16 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188,
17 and as amended by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding
18 sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L.
19 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147,
20 P.L. 107-181, and P.L. 107-276, ~~and~~ P.L. 108-121, excluding section 109 of P.L.
21 108-121, and as indirectly affected in the provisions applicable to this subchapter
22 by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d)
23 (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L.
24 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.
25 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.

INSERT 1

1 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
2 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.
3 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
4 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.
✓ 5 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,
6 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
7 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
8 107-147, P.L. 107-181, and P.L. 107-276, ~~and~~ P.L. 108-121, excluding section 109
9 of 108-121. The Internal Revenue Code applies for Wisconsin purposes at the same
10 time as for federal purposes. Amendments to the federal Internal Revenue Code
11 enacted after December 31, 1998, do not apply to this paragraph with respect to
12 taxable years beginning after December 31, 1998, and before January 1, 2000,
13 except that changes to the Internal Revenue Code made by P.L. 106-36, P.L.
14 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,
15 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147,
16 excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L. 107-276, ~~and~~
17 P.L. 108-121, excluding section 109 of P.L. 108-121, and changes that indirectly
18 affect the provisions applicable to this subchapter made by P.L. 106-36, P.L.
19 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,
20 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147,
21 excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L. 107-276, ~~and~~
22 P.L. 108-121, excluding section 109 of P.L. 108-121, apply for Wisconsin purposes at
23 the same time as for federal purposes.

24 SECTION 20. 71.22 (4) (o) of the statutes is amended to read:

1 71.22 (4) (o) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
2 (1g) and 71.42 (2), "Internal Revenue Code", for taxable years that begin after
3 December 31, 1999, and before January 1, 2003, means the federal Internal Revenue
4 Code as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L.
5 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66
6 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as
7 amended by P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L.
8 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22,
9 P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
10 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, P.L. 108-27,
11 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section
12 109 of P.L. 108-121, P.L. 108-311, and P.L. 108-357, and as indirectly affected in the
13 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647
14 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2)
15 of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.
16 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and
17 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
18 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.
19 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202
20 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
21 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.
22 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,
23 P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L.
24 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147,
25 P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, P.L. 108-27, excluding

P.L. 108-218

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P.L. 108-218,

1 sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L.
 2 108-121, P.L. 108-311, and P.L. 108-357. The Internal Revenue Code applies for
 3 Wisconsin purposes at the same time as for federal purposes. Amendments to the
 4 federal Internal Revenue Code enacted after December 31, 1999, do not apply to this
 5 paragraph with respect to taxable years beginning after December 31, 1999, and
 6 before January 1, 2003, except that changes to the Internal Revenue Code made by
 7 P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L.
 8 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116,
 9 P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L.
 10 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, P.L. 108-27, excluding
 11 sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L.
 12 108-121, P.L. 108-311, and P.L. 108-357, and changes that indirectly affect the
 13 provisions applicable to this subchapter made by P.L. 106-230, P.L. 106-554,
 14 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding
 15 section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147,
 16 excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L.
 17 107-276, and P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L.
 18 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, and P.L.
 19 108-357, apply for Wisconsin purposes at the same time as for federal purposes.

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SECTION 21. 71.22 (4) (p) of the statutes is amended to read:

21 71.22 (4) (p) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
 22 (1g), and 71.42 (2), "Internal Revenue Code," for taxable years that begin after
 23 December 31, 2002, and before January 1, 2004, means the federal Internal Revenue
 24 Code as amended to December 31, 2002, excluding sections 103, 104, and 110 of P.L.
 25 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,

P.L. 108-203, P.L. 108-218,

1 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 106-519,
 2 sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, and
 3 section 101 of P.L. 107-147, and as amended by P.L. 108-27, excluding sections 106,
 4 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L.
 5 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-311, and P.L. 108-357, and
 6 as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514,
 7 P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2),
 8 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L.
 9 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
 10 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
 11 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
 12 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,
 13 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.
 14 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.
 15 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections
 16 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L.
 17 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding section 101
 18 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, P.L.
 19 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding

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20 section 109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173,
 21 P.L. 108-311, and P.L. 108-357. The Internal Revenue Code applies for Wisconsin

22 purposes at the same time as for federal purposes. Amendments to the federal
 23 Internal Revenue Code enacted after December 31, 2002, do not apply to this
 24 paragraph with respect to taxable years beginning after December 31, 2002, and
 25 before January 1, 2004, except that changes to the Internal Revenue Code made by

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P.L. 108-203, P.L. 108-218,

1 P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121,
 2 excluding section 109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L.
 3 108-173, P.L. 108-311, ^(INSERT 3) and P.L. 108-357, and changes that indirectly affect the
 4 provisions applicable to this subchapter made by P.L. 108-27, excluding sections
 5 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121,
 6 P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-311, and P.L. 108-357,
 7 apply for Wisconsin purposes at the same time as for federal purposes. ^(INSERT 3)

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SECTION 22. 71.22 (4) (q) of the statutes is created to read:

9 71.22 (4) (q) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
 10 (1g), and 71.42 (2), "Internal Revenue Code," for taxable years that begin after
 11 December 31, 2003, and before January 1, 2005, means the federal Internal Revenue
 12 Code as amended to December 31, 2003, excluding sections 103, 104, and 110 of P.L.
 13 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
 14 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 106-519,
 15 sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, section
 16 101 of P.L. 107-147, ~~and~~ sections 106, 201, and 202 of P.L. 108-27, ^(INSERT 7) and as amended
 17 by P.L. 108-311, ~~and~~ P.L. 108-357, ^(INSERT 8) and as indirectly affected in the provisions
 18 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding
 19 sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514
 20 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.
 21 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.
 22 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
 23 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
 24 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),
 25 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.

P.L. 108-203, P.L. 108-218,

P.L. 108-203, P.L. 108-218,

1 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L.
2 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15,
3 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L.
4 107-134, P.L. 107-147, excluding section 101 of P.L. 107-147, P.L. 107-181, P.L.
5 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and
6 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-173,

7 excluding section 1201 of P.L. 108-173, P.L. 108-311, and P.L. 108-357. The Internal
8 Revenue Code applies for Wisconsin purposes at the same time as for federal
9 purposes. Amendments to the federal Internal Revenue Code enacted after
10 December 31, 2003, do not apply to this paragraph with respect to taxable years
11 beginning after December 31, 2003, and before January 1, 2005, except that changes

12 to the Internal Revenue Code made by P.L. 108-27, excluding sections 106, 201, and
13 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-173,
14 excluding section 1201 of P.L. 108-173, P.L. 108-311, and P.L. 108-357, and changes

15 that indirectly affect the provisions applicable to this subchapter made by P.L.
16 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding
17 section 109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173,

18 P.L. 108-311, and P.L. 108-357, apply for Wisconsin purposes at the same time as
19 for federal purposes.

20 SECTION 23. 71.22 (4) (r) of the statutes is created to read:

21 71.22 (4) (r) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
22 (1g), and 71.42 (2), "Internal Revenue Code," for taxable years that begin after
23 December 31, 2004, means the federal Internal Revenue Code as amended to
24 December 31, 2004, excluding sections 103, 104, and 110 of P.L. 102-227, sections
25 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b),

sections 1, 3, 4, and 5 of

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1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, section 101 of P.L. 107-147, sections 106, 201, and 202 of P.L. 108-27, ~~and~~ section 1201 of P.L. 108-173, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding section 101 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-311, ~~and~~ P.L. 108-357. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal Internal Revenue Code enacted after December 31, 2004, do not apply to this paragraph with respect to taxable years beginning after December 31, 2004.

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P.L. 108-203, P.L. 108-218,

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SECTION 24. 71.22 (4m) (h) of the statutes is repealed.
SECTION 25. 71.22 (4m) (i) of the statutes is repealed.
SECTION 26. 71.22 (4m) (j) of the statutes is amended to read:

1 71.22 (4m) (j) For taxable years that begin after December 31, 1996, and before
2 January 1, 1998, "Internal Revenue Code", for corporations that are subject to a tax
3 on unrelated business income under s. 71.26 (1) (a), means the federal Internal
4 Revenue Code as amended to December 31, 1996, excluding sections 103, 104, and
5 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
6 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188
7 and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L.
8 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,
9 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections
10 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and~~ P.L. 108-121, excluding section
11 109 of P.L. 108-121, and as indirectly affected in the provisions applicable to this
12 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,
13 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104,
14 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
15 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.
16 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202
17 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
18 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554,
19 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
20 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
21 107-147, and P.L. 107-181, ~~and~~ P.L. 108-121, excluding section 109 of P.L. 108-121.
22 The Internal Revenue Code applies for Wisconsin purposes at the same time as for
23 federal purposes. Amendments to the Internal Revenue Code enacted after
24 December 31, 1996, do not apply to this paragraph with respect to taxable years
25 beginning after December 31, 1996, and before January 1, 1998, except that

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1 changes to the Internal Revenue Code made by P.L. 105-33, P.L. 105-34, P.L.
 2 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of
 3 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
 4 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and P.L.~~
 5 108-121, excluding section 109 of P.L. 108-121, and changes that indirectly affect
 6 provisions applicable to this subchapter made by P.L. 105-33, P.L. 105-34, P.L.
 7 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of
 8 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
 9 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and P.L.~~
 10 108-121, excluding section 109 of P.L. 108-121, apply for Wisconsin purposes at the
 11 same time as for federal purposes.

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12 **SECTION 27.** 71.22 (4m) (k) of the statutes is amended to read:

13 71.22 (4m) (k) For taxable years that begin after December 31, 1997, and
 14 before January 1, 1999, "Internal Revenue Code", for corporations that are subject
 15 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
 16 Internal Revenue Code as amended to December 31, 1997, excluding sections 103,
 17 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
 18 (d) of P.L. 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
 19 104-188, and as amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36,
 20 P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L.
 21 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding
 22 sections 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and P.L.~~ 108-121, excluding
 23 section 109 of P.L. 108-121, and as indirectly affected in the provisions applicable to
 24 this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
 25 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections

INSERT |

1 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
2 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.
3 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections
4 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.
5 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.
6 106-36, P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,
7 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147,
8 excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and P.L. 108-121,~~
9 excluding section 109 of P.L. 108-121. ^{INSERT 2} The Internal Revenue Code applies for
10 Wisconsin purposes at the same time as for federal purposes. Amendments to the
11 Internal Revenue Code enacted after December 31, 1997, do not apply to this
12 paragraph with respect to taxable years beginning after December 31, 1997, and
13 before January 1, 1999, except that changes to the Internal Revenue Code made by
14 P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554,
15 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
16 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
17 107-147, and P.L. 107-181, ~~and P.L. 108-121,~~ excluding section 109 of P.L. 108-121,
18 and changes that indirectly affect the provisions applicable to this subchapter made
19 by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554,
20 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
21 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
22 107-147, and P.L. 107-181, ~~and P.L. 108-121,~~ excluding section 109 of P.L. 108-121,
23 apply for Wisconsin purposes at the same time as for federal purposes.

24 SECTION 28. 71.22 (4m) (L) of the statutes is amended to read:

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1 71.22 (4m) (L) For taxable years that begin after December 31, 1998, and
2 before January 1, 2000, "Internal Revenue Code", for corporations that are subject
3 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
4 Internal Revenue Code as amended to December 31, 1998, excluding sections 103,
5 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
6 (d) of P.L. 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
7 104-188, and as amended by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,
8 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
9 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
10 107-147, P.L. 107-181, and P.L. 107-276, ~~and P.L. 108-121, excluding section 109~~
11 of P.O. 108-121, and as indirectly affected in the provisions applicable to this
12 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,
13 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104,
14 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
15 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.
16 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202
17 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
18 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.
19 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554,
20 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147,
21 excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L. 107-276, ~~and~~
22 P.L. 108-121, excluding section 109 of P.L. 108-121. The Internal Revenue Code
23 applies for Wisconsin purposes at the same time as for federal purposes.
24 Amendments to the Internal Revenue Code enacted after December 31, 1998, do not
25 apply to this paragraph with respect to taxable years beginning after

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1 December 31, 1998, and before January 1, 2000, except that changes to the Internal
 2 Revenue Code made by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,
 3 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
 4 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
 5 107-147, P.L. 107-181, and P.L. 107-276, ~~and~~ P.L. 108-121, excluding section 109
 6 of P.L. 108-121, and changes that indirectly affect the provisions applicable to this
 7 subchapter made by P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,
 8 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
 9 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
 10 107-147, P.L. 107-181, and P.L. 107-276, ~~and~~ P.L. 108-121, excluding section 109
 11 of P.L. 108-121, apply for Wisconsin purposes at the same time as for federal
 12 purposes. ✓

13 **SECTION 29.** 71.22 (4m) (m) of the statutes is amended to read:

14 71.22 (4m) (m) For taxable years that begin after December 31, 1999, and
 15 before January 1, 2003, "Internal Revenue Code", for corporations that are subject
 16 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
 17 Internal Revenue Code as amended to December 31, 1999, excluding sections 103,
 18 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
 19 (d) of P.L. 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
 20 104-188, and as amended by P.L. 106-230, P.L. 106-554, excluding sections 162 and
 21 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16,
 22 P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections 101 and
 23 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, P.L.
 24 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding
 25 section 109 of P.L. 108-121, P.L. 108-311, and P.L. 108-357, and as indirectly

P.L. 108-218,

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P.L. 108-218

1 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,
2 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508,
3 P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.
4 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
5 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.
6 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
7 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.
8 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,
9 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding
10 section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147,
11 excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L.
12 107-276, and P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L.
13 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, and P.L.
14 108-357. ^(INSERT 5) The Internal Revenue Code applies for Wisconsin purposes at the same
15 time as for federal purposes. Amendments to the Internal Revenue Code enacted
16 after December 31, 1999, do not apply to this paragraph with respect to taxable years
17 beginning after December 31, 1999, and before January 1, 2003, except that changes
18 to the Internal Revenue Code made by P.L. 106-230, P.L. 106-554, excluding sections
19 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L.
20 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections
21 101 and 406 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L.
22 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L.
23 108-121, excluding section 109 of P.L. 108-121, P.L. 108-311, and P.L. 108-357, and
24 changes that indirectly affect the provisions applicable to this subchapter made by
25 P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L.

INSERT 3

INSERT 4

P.L. 108-218,

1 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116,
 2 P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L.
 3 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, P.L. 108-27, excluding
 4 sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L.
 5 108-121, P.L. 108-311, and P.L. 108-357, apply for Wisconsin purposes at the same
 6 time as for federal purposes. INSERT 3 INSERT 4

7 **SECTION 30.** 71.22 (4m) (n) of the statutes is amended to read:

8 71.22 (4m) (n) For taxable years that begin after December 31, 2002, and
 9 before January 1, 2004, "Internal Revenue Code," for corporations that are subject
 10 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
 11 Internal Revenue Code as amended to December 31, 2002, excluding sections 103,
 12 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
 13 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
 14 104-188, P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section
 15 431 of P.L. 107-16, and section 101 of P.L. 107-147, and as amended by P.L. 108-27,
 16 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section
 17 109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L.
 18 108-311, and P.L. 108-357, and as indirectly affected in the provisions applicable to
 19 this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
 20 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
 21 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
 22 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.
 23 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections
 24 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.
 25 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.

INSERT
3

P.L. 108-203, P.L. 108-218,

INSERT 3

P.L. 108-203, P.L. 108-218

1 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of
 2 P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L.
 3 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding section 101 of P.L.
 4 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, and P.L. 107-358, P.L. 108-27,
 5 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section
 6 109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L.

7 108-311, and P.L. 108-357. INSERT 5 The Internal Revenue Code applies for Wisconsin
 8 purposes at the same time as for federal purposes. Amendments to the Internal
 9 Revenue Code enacted after December 31, 2002, do not apply to this paragraph with
 10 respect to taxable years beginning after December 31, 2002, and before January 1,
 11 2004, except that changes to the Internal Revenue Code made by P.L. 108-27,
 12 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section
 13 109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L.

14 108-311, and P.L. 108-357, and changes that indirectly affect the provisions
 15 applicable to this subchapter made by P.L. 108-27, excluding sections 106, 201, and
 16 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121, P.L. 108-173,
 17 P.L. 108-311, and P.L. 108-357, excluding section 1201 of P.L. 108-173, apply for
 18 Wisconsin purposes at the same time as for federal purposes.

SECTION 31. 71.22 (4m) (o) of the statutes is created to read:

ATTN!

20 71.22 (4m) (o) For taxable years that begin after December 31, 2003, and
 21 before January 1, 2005, "Internal Revenue Code," for corporations that are subject
 22 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
 23 Internal Revenue Code as amended to December 31, 2003, excluding sections 103,
 24 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
 25 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.

P.L. 108-203, P.L. 108-218,

1 104-188, P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section
 2 431 of P.L. 107-16, section 101 of P.L. 107-147, and sections 106, 201, and 202 of P.L.
 3 108-27, and as amendeded by P.L. 108-311, ^{INSERT 8} and P.L. 108-357, ^{INSERT 9} and as indirectly affected
 4 in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L.
 5 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.
 6 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.
 7 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
 8 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.
 9 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
 10 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.
 11 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,
 12 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15, P.L. 107-16, excluding
 13 section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147,
 14 excluding section 101 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L.
 15 107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L.
 16 108-121, excluding section 109 of P.L. 108-121, P.L. 108-173, excluding section 1201
 17 of P.L. 108-173, P.L. 108-311, ^{INSERT 8} and P.L. 108-357, ^{INSERT 10} The Internal Revenue Code applies
 18 for Wisconsin purposes at the same time as for federal purposes. Amendments to the
 19 Internal Revenue Code enacted after December 31, 2003, do not apply to this
 20 paragraph with respect to taxable years beginning after December 31, 2003, and
 21 before January 1, 2005, except that changes to the Internal Revenue Code made by
 22 ~~P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121,~~
 23 ~~excluding section 109 of P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L.~~
 24 ~~108-173, P.L. 108-311, and P.L. 108-357,~~ and changes that indirectly affect the
 25 provisions applicable to this subchapter made by ~~P.L. 108-27~~ ^{INSERT 8} excluding sections

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P.L. 108-203, P.L. 108-218,

P.L. 108-203, P.L. 108-218,

1 ~~106, 201, and 202 of P.L. 108-27, P.L. 108-121, excluding section 109 of P.L. 108-121,~~

2 ~~P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-311, ~~and~~ P.L. 108-357,~~

3 apply for Wisconsin purposes at the same time as for federal purposes.

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SECTION 32. 71.22 (4m) (p) of the statutes is created to read:

5 71.22 (4m) (p) For taxable years that begin after December 31, 2004, "Internal
6 Revenue Code," for corporations that are subject to a tax on unrelated business
7 income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended
8 to December 31, 2004, excluding sections 103, 104, and 110 of P.L. 102-227, sections
9 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, sections 1123 (b),
10 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, ^{sections 1, 3, 4, and 5 of} P.L. 106-519, sections 162 and
11 165 of P.L. 106-554, P.L. 106-573, section 431 of P.L. 107-16, section 101 of P.L.
12 107-147, sections 106, 201, and 202 of P.L. 108-27, ~~and~~ section 1201 of P.L. 108-173,
13 and as indirectly affected in the provisions applicable to this subchapter by P.L.
14 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.
15 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.
16 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
17 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
18 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),
19 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.
20 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L.
21 106-230, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-15,
22 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L.
23 107-134, P.L. 107-147, excluding section 101 of P.L. 107-147, P.L. 107-181, P.L.
24 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections 106, 201, and
25 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201 of P.L.

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P.L. 108-203, P.L. 108-218,

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1 108-173, P.L. 108-311, ~~and~~ P.L. 108-357. The Internal Revenue Code applies for
 2 Wisconsin purposes at the same time as for federal purposes. Amendments to the
 3 Internal Revenue Code enacted after December 31, 2004, do not apply to this
 4 paragraph with respect to taxable years beginning after December 31, 2004.

5 **SECTION 33.** 71.26 (2) (b) 10. of the statutes is repealed.

6 **SECTION 34.** 71.26 (2) (b) 11. of the statutes is repealed.

7 **SECTION 35.** 71.26 (2) (b) 12. of the statutes is amended to read:

8 71.26 (2) (b) 12. For taxable years that begin after December 31, 1996, and
 9 before January 1, 1998, for a corporation, conduit or common law trust which
 10 qualifies as a regulated investment company, real estate mortgage investment
 11 conduit, real estate investment trust or financial asset securitization investment
 12 trust under the Internal Revenue Code as amended to December 31, 1996, excluding
 13 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),
 14 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and
 15 1605 (d) of P.L. 104-188, and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206,
 16 P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L.
 17 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
 18 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and~~ P.L.
 19 108-121, excluding section 109 of P.L. 108-121, and as indirectly affected in the
 20 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,
 21 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
 22 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
 23 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
 24 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,
 25 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.

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1 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L.
2 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,
3 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections
4 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and~~ P.L. 108-121, excluding section
5 109 of P.L. 108-121, "net income" means the federal regulated investment company
6 taxable income, federal real estate mortgage investment conduit taxable income,
7 federal real estate investment trust or financial asset securitization investment
8 trust taxable income of the corporation, conduit or trust as determined under the
9 Internal Revenue Code as amended to December 31, 1996, excluding sections 103,
10 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
11 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
12 104-188 and as amended by P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277,
13 P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L.
14 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding
15 sections 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and~~ P.L. 108-121, excluding
16 section 109 of P.L. 108-121, and as indirectly affected in the provisions applicable to
17 this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
18 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
19 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
20 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.
21 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections
22 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.
23 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.
24 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding
25 section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and

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1 406 of P.L. 107-147, and P.L. 107-181, ~~and P.L. 108-121~~, excluding section 109 of P.L.
2 108-121, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is
3 required to be depreciated for taxable years 1983 to 1986 under the Internal Revenue
4 Code as amended to December 31, 1980, shall continue to be depreciated under the
5 Internal Revenue Code as amended to December 31, 1980, and except that the
6 appropriate amount shall be added or subtracted to reflect differences between the
7 depreciation or adjusted basis for federal income tax purposes and the depreciation
8 or adjusted basis under this chapter of any property disposed of during the taxable
9 year. The Internal Revenue Code as amended to December 31, 1996, excluding
10 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),
11 13174, and 13203 (d) of P.L. 103-66, and sections 1123 (b), 1202 (c), 1204 (f), 1311,
12 and 1605 (d) of P.L. 104-188, and as amended by P.L. 105-33, P.L. 105-34, P.L.
13 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of
14 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
15 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and P.L.~~
16 108-121, excluding section 109 of P.L. 108-121, and as indirectly affected in the
17 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,
18 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
19 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
20 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
21 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,
22 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.
23 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-206, P.L. 105-277, P.L.
24 106-36, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,
25 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections

INSERT 1

1 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and~~ P.L. 108-121, excluding section
2 109 of P.L. 108-121, applies for Wisconsin purposes at the same time as for federal
3 purposes. Amendments to the Internal Revenue Code enacted after
4 December 31, 1996, do not apply to this subdivision with respect to taxable years
5 that begin after December 31, 1996, and before January 1, 1998, except that
6 changes to the Internal Revenue Code made by P.L. 105-33, P.L. 105-34, P.L.
7 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of
8 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
9 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and~~ P.L.
10 108-121, excluding section 109 of P.L. 108-121, and changes that indirectly affect
11 the provisions applicable to this subchapter made by P.L. 105-33, P.L. 105-34, P.L.
12 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-554, excluding sections 162 and 165 of
13 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
14 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and~~ P.L.
15 108-121, excluding section 109 of P.L. 108-121, apply for Wisconsin purposes at the
16 same time as for federal purposes.

17 **SECTION 36.** 71.26 (2) (b) 13. of the statutes is amended to read:

18 71.26 (2) (b) 13. For taxable years that begin after December 31, 1997, and
19 before January 1, 1999, for a corporation, conduit or common law trust which
20 qualifies as a regulated investment company, real estate mortgage investment
21 conduit, real estate investment trust or financial asset securitization investment
22 trust under the Internal Revenue Code as amended to December 31, 1997, excluding
23 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),
24 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and
25 1605 (d) of P.L. 104-188, and as amended by P.L. 105-178, P.L. 105-206, P.L.

INSERT

1 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of
2 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
3 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and P.L.~~
4 108-121, excluding section 109 of P.L. 108-121, and as indirectly affected in the
5 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,
6 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
7 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
8 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
9 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,
10 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.
11 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.
12 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of
13 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
14 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and P.L.~~
15 108-121, excluding section 109 of P.L. 108-121, "net income" means the federal
16 regulated investment company taxable income, federal real estate mortgage
17 investment conduit taxable income, federal real estate investment trust or financial
18 asset securitization investment trust taxable income of the corporation, conduit or
19 trust as determined under the Internal Revenue Code as amended to December 31,
20 1997, excluding sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d),
21 13171 (d), 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204
22 (f), 1311, and 1605 (d) of P.L. 104-188, and as amended by P.L. 105-178, P.L. 105-206,
23 P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554, excluding sections 162 and
24 165 of P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134,
25 P.L. 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and~~

1 P.L. 108-121, excluding section 109 of P.L. 108-121, and as indirectly affected in the
2 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,
3 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
4 excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
5 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
6 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,
7 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L.
8 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L.
9 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-554, excluding sections 162 and 165 of
10 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
11 107-147, excluding sections 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and P.L.~~
12 108-121, excluding section 109 of P.L. 108-121, except that property that, under s.
13 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983
14 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall
15 continue to be depreciated under the Internal Revenue Code as amended to
16 December 31, 1980, and except that the appropriate amount shall be added or
17 subtracted to reflect differences between the depreciation or adjusted basis for
18 federal income tax purposes and the depreciation or adjusted basis under this
19 chapter of any property disposed of during the taxable year. The Internal Revenue
20 Code as amended to December 31, 1997, excluding sections 103, 104, and 110 of P.L.
21 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,
22 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as
23 amended by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170,
24 P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding
25 section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and

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1 406 of P.L. 107-147, and P.L. 107-181, ~~and~~ P.L. 108-121, excluding section 109 of P.L.
2 108-121, and as indirectly affected in the provisions applicable to this subchapter
3 by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,
4 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L.
5 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
6 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
7 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f),
8 1311 and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L.
9 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L.
10 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding
11 section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and
12 406 of P.L. 107-147, and P.L. 107-181, ~~and~~ P.L. 108-121, excluding section 109 of P.L.
13 108-121, applies for Wisconsin purposes at the same time as for federal purposes.
14 Amendments to the Internal Revenue Code enacted after December 31, 1997, do not
15 apply to this subdivision with respect to taxable years that begin after
16 December 31, 1997, and before January 1, 1999, except that changes to the Internal
17 Revenue Code made by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.
18 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,
19 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections
20 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and~~ P.L. 108-121, excluding section
21 109 of P.L. 108-121, and changes that indirectly affect the provisions applicable to
22 this subchapter made by P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L.
23 106-170, P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16,
24 excluding section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections
25 101 and 406 of P.L. 107-147, and P.L. 107-181, ~~and~~ P.L. 108-121, excluding section

1 109 of P.L. 108-121, apply for Wisconsin purposes at the same time as for federal
2 purposes.

3 SECTION 37. 71.26 (2) (b) 14. of the statutes is amended to read:

4 71.26 (2) (b) 14. For taxable years that begin after December 31, 1998, and
5 before January 1, 2000, for a corporation, conduit or common law trust which
6 qualifies as a regulated investment company, real estate mortgage investment
7 conduit, real estate investment trust or financial asset securitization investment
8 trust under the Internal Revenue Code as amended to December 31, 1998, excluding
9 sections 103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d),
10 13174, and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and
11 1605 (d) of P.L. 104-188, and as amended by P.L. 106-36, P.L. 106-170, P.L. 106-230,
12 P.L. 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding
13 section 431 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and
14 406 of P.L. 107-147, P.L. 107-181, and P.L. 107-276, ~~and~~ P.L. 108-121, excluding
15 section 109 of P.L. 108-121, and as indirectly affected in the provisions applicable to
16 this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
17 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
18 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
19 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L.
20 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections
21 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.
22 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.
23 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of
24 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
25 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L.

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1 107-276, ~~and~~ P.L. 108-121, excluding section 109 of P.L. 108-121, "net income"
2 means the federal regulated investment company taxable income, federal real estate
3 mortgage investment conduit taxable income, federal real estate investment trust
4 or financial asset securitization investment trust taxable income of the corporation,
5 conduit or trust as determined under the Internal Revenue Code as amended to
6 December 31, 1998, excluding sections 103, 104, and 110 of P.L. 102-227, sections
7 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66 and sections 1123
8 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, and as amended by P.L.
9 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of
10 P.L. 106-554, P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-134, P.L.
11 107-147, excluding sections 101 and 406 of P.L. 107-147, P.L. 107-181, and P.L.
12 107-276, ~~and~~ P.L. 108-121, excluding section 109 of P.L. 108-121, and as indirectly
13 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,
14 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508,
15 P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L. 102-318, P.L.
16 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
17 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.
18 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
19 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L.
20 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554,
21 excluding sections 162 and 165 of P.L. 106-554, P.L. 107-16, excluding section 431
22 of P.L. 107-16, P.L. 107-134, P.L. 107-147, excluding sections 101 and 406 of P.L.
23 107-147, P.L. 107-181, and P.L. 107-276, ~~and~~ P.L. 108-121, excluding section 109
24 of P.L. 108-121, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats.,
25 is required to be depreciated for taxable years 1983 to 1986 under the Internal